

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Governmental Oversight and Accountability

BILL: SB 984

INTRODUCER: Senator DiCeglie

SUBJECT: Firefighter Cancer Benefits and Prevention

DATE: February 10, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Shuler</u>	<u>Fleming</u>	<u>CA</u>	Favorable
2.	<u>McVaney</u>	<u>McVaney</u>	<u>GO</u>	Pre-meeting
3.	<u> </u>	<u> </u>	<u>AP</u>	<u> </u>

I. Summary:

SB 984 amends eligibility requirements for disability and death benefits available to current and former firefighters after a cancer diagnosis. Current law provides, as a disability benefit resulting from a cancer diagnosis, a \$25,000 one-time payout. The bill expands the eligibility for this payout to include a former firefighter for up to 10 years after terminating employment, regardless of whether the firefighter elects to continue coverage in an employer-sponsored health plan or group health insurance trust fund. Additionally, the payout will no longer expressly be limited to a current or former firefighter's "initial" diagnosis.

The bill also requires that the payment of the \$75,000 firefighter cancer death benefit to a firefighter's beneficiary be made available for one year after employment, provided the former firefighter otherwise met the criteria at the time of termination of employment and was not subsequently employed as a firefighter.

The bill removes a duplicative grant of rulemaking authority to the Division of State Fire Marshal within the Department of Financial Services.

The bill may increase costs to state and local governments; the impact is indeterminate at this time.

The bill takes effect on July 1, 2026.

II. Present Situation:

Firefighter Cancer Benefits

Current law provides special disability and death benefits to firefighters who are diagnosed with certain cancers.¹ To qualify, a firefighter must:

- Be employed full time as a firefighter (or Florida-certified fire investigator);²
- Have been employed by the same employer for at least five continuous years;
- Not have used tobacco products in the preceding five years; and
- Have not been employed in any other position within the preceding five years that is proven to create a higher risk for cancer.³

Cancer Diagnosis Benefits

Upon a qualifying cancer diagnosis, an eligible firefighter is entitled to the following benefits, as an alternative to pursuing workers' compensation benefits:

- Coverage for cancer treatment under an employer-sponsored health plan or group health insurance trust fund, including timely reimbursement for any out-of-pocket deductible, copayment, or coinsurance costs incurred as a result of cancer treatment.
- A one-time cash payout of \$25,000 upon the firefighter's initial diagnosis of cancer.
- Leave time and employee retention benefits equivalent to those provided for other injuries or illnesses incurred in the line of duty.⁴

If a firefighter elects to continue coverage in the employer-sponsored health plan or group health insurance trust fund after terminating employment, the health coverage and cash payout benefits must be made available by the former employer for 10 years following the firefighter's termination of employment, provided the firefighter met the eligibility criteria at the time of separation and was not reemployed as a firefighter.⁵

Cancer Death Benefits

Current law provides death benefits to firefighters who die as a result of cancer or circumstances arising out of the treatment of cancer. If the firefighter participated in an employer-sponsored retirement plan, the plan must consider the firefighter to have died in the line of duty.⁶ If the firefighter did not participate in an employer-sponsored retirement plan, the employer must provide a death benefit to the firefighter's beneficiary equal to at least 42 percent of the

¹ The qualifying cancers include bladder, brain, breast, cervical, colon, esophageal, invasive skin, kidney, large intestinal, lung, malignant melanoma, mesothelioma, multiple myeloma, non-Hodgkin's lymphoma, oral cavity and pharynx, ovarian, prostate, rectal, stomach, testicular, and thyroid cancers. Section 112.1816(1)(a), F.S.

² "Firefighter" is defined for the section to mean an individual employed as a full-time firefighter or full-time, Florida-certified fire investigator within the fire department or public safety department of an employer whose primary responsibilities are the prevention and extinguishing of fires; the protection of life and property; and the enforcement of municipal, county, and state fire prevention codes and laws pertaining to the prevention and control of fires; or the investigation of fires and explosives. Section 112.1816(1)(c).

³ Section 112.1816(2), F.S.

⁴ Section 112.1816(2)(a)-(c), F.S.

⁵ Section 112.1816(2), F.S.

⁶ Section 112.1816(4)(a), F.S.

firefighter's annual salary for at least 10 years.⁷ In addition, the beneficiary is entitled to a one-time payment of \$75,000.⁸

Cancer Prevention Best Practices

Two provisions of current law, ss. 112.1816(6), and 633.520(2)(a), F.S., direct the Division of State Fire Marshal within the Department of Financial Services to adopt rules to establish employer cancer prevention best practices as it relates to personal protective equipment, decontamination, fire suppression apparatus, and fire stations. The adopted rule, Florida Administrative Code Rule 69A-62.025, provides an Employer Self-Assessment Tool listing cancer prevention best practices that are based on National Fire Protection Association and Federal Emergency Management Agency standards.

III. Effect of Proposed Changes:

Section 1 amends s. 112.1816, F.S., to extend the disability and death benefits arising out of a cancer diagnosis and treatment available to former firefighters and to remove certain limitations on the \$25,000 payout for current and former firefighters diagnosed with cancer.

The bill revises the cancer diagnosis benefits to remove the requirement that, in order to receive the \$25,000 cancer diagnosis payout within 10 years after terminating employment, a former firefighter must have elected to continue in an employer-sponsored health plan or group health insurance trust fund. This will allow a former firefighter who otherwise meets the eligibility criteria to receive the \$25,000 payout during that 10-year period regardless of whether he or she elects to continue coverage under the employer health plan or group health trust fund. Former firefighters must remain in the employer-sponsored health plan or group health insurance trust fund in order to receive coverage of cancer treatment and timely reimbursement of any qualifying out-of-pocket costs from the health plan or trust fund.

The bill also removes the term "initial" from the provision authorizing the \$25,000 cash payout upon a firefighter's "*initial* diagnosis of cancer." As a result, the payout will no longer be expressly limited to a firefighter's first cancer diagnosis and will now be available to qualifying current and former firefighters upon each cancer diagnosis.

The bill revises the firefighter cancer death benefit to require former employers to make the \$75,000 payout available to the beneficiary of a former firefighter for one year after the firefighter terminates employment, provided the firefighter otherwise met the eligibility criteria and was not subsequently employed as a firefighter.

The bill removes the provision from s. 112.1816, F.S., requiring the Division of State Fire Marshal to adopt rules for employer cancer prevention best practices that is duplicative of the provision in s. 633.520, F.S.

Section 2 provides that the bill takes effect on July 1, 2026.

⁷ Section 112.1816(4)(b), F.S.

⁸ Sections 112.1816(4)(c) and 112.191(2)(a), F.S.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Article VII, section 18(a) of the Florida Constitution provides in pertinent part that “no county or municipality shall be bound by any general law requiring such county or municipality to spend funds . . . unless the legislature has determined that such law fulfills an important state interest and unless:

- The law requiring such expenditure is approved by two-thirds of the membership in each house of the legislature; or
- The expenditure is required to comply with a law that applies to all persons similarly situated.”

The bill requires public employers, including counties and municipalities, that employ firefighters to fund additional disability and death benefit payouts arising out of a cancer diagnosis and treatment. The bill appears to apply to all persons similarly situated (those public employers employing firefighters), including state agencies, school boards, community colleges, counties, municipalities and special districts. If this exception does not apply, the bill must be approved by two-thirds vote of each chamber. However, the bill does not contain a finding that the bill fulfills an important state interest; thus, these exceptions may not apply.

The mandates requirements do not apply to laws having an insignificant impact,^{9,10} which is \$2.4 million or less for Fiscal Year 2026-2027.¹¹ The fiscal impact of this bill has not yet been determined as the number of qualifying firefighters and potential claims cannot be readily ascertained.

If the bill does qualify as a mandate and does not meet an exemption or exception, in order to be binding upon cities and counties the bill must include a finding of important state interest and be approved by a two-thirds vote of the membership of each house.¹²

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

⁹ FLA. CONST. art. VII, s. 18(d).

¹⁰ An insignificant fiscal impact is the amount not greater than the average statewide population for the applicable fiscal year multiplied by \$0.10. See FLA. SENATE COMM. ON COMTY. AFFAIRS, *Interim Report 2012-115: Insignificant Impact*, (Sept. 2011), <http://www.flsenate.gov/PublishedContent/Session/2012/InterimReports/2012-115ca.pdf> (last visited Jan. 26, 2026).

¹¹ Based on the Demographic Estimating Conference’s estimated population adopted on June 30, 2025, <https://edr.state.fl.us/Content/conferences/population/archives/250630demographic.pdf> (last visited Jan. 26, 2026).

¹² FLA. CONST. art. VII, s. 18(a).

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The fiscal impact of the bill is indeterminate at this time but will likely increase costs for state and local governments. The bill modifies the eligibility and timing requirements for certain cancer and death benefits for current and former firefighters to make these benefits available in more instances. State and local governments that employ firefighters may experience increased costs as a result of an increased number of claims for the \$25,000 payout and \$75,000 death payout. Moreover, state and local governments may have to provide multiple \$25,000 benefits payouts to current and certain former firefighters that have more than one cancer diagnosis.

The bill may reduce state and local government costs associated with former firefighters' participation in employer-sponsored health plans or group health insurance trust funds where those former firefighters only elected to continue coverage to qualify for the cancer diagnosis lump-sum benefit and can now qualify without remaining enrolled in coverage.

VI. Technical Deficiencies:

None identified.

VII. Related Issues:

None identified.

VIII. Statutes Affected:

This bill substantially amends section 112.1816 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
